

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Civil Case No. 13-C-1304
(Criminal Case No. 10-Cr-121)

RONALD L. JOHNSON,

Movant.

DECISION AND ORDER

Pro se Movant Ronald L. Johnson (“Johnson”) filed a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 asserting that his trial counsel and appellate counsel were ineffective; denial of his right to be tried before an impartial tribunal; denial of his sixth amendment right to be tried on charges found only by the grand jury; and denial of his right under the fifth amendment due process clause because he was convicted of an offense not charged in the indictment. Having reviewed the file in this matter pursuant to Rule 4 of the Rules Governing Section 2255 Proceedings for the United States District Courts, the Court cannot conclude that Johnson’s motion is plainly without merit. Therefore, the United States of America will be required to file an answer that conforms to Rule 5 of the Rules Governing Section 2255 Proceedings for the United States District Courts.

Because the ineffective assistance of trial counsel issues raised by the motion involve Attorneys Peter Kovac and Russell Jones, and the ineffective assistance of

appellate counsel issue involves Bradley Williams, the Court will direct the Clerk of Court to send a copy of this Decision and Order to each of them.

NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT:

The United States of America **MUST FILE** an answer **on or before January 27, 2014**.

The Clerk of Court is directed to send a copy of this Decision and Order to Attorneys Peter Kovac, Russell Jones, and Bradley Williams.

Dated at Milwaukee, Wisconsin, this 25th day of November, 2013.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge